



Town of Emmitsburg

Mayor Donald N. Briggs

Board of Commissioners
Timothy O'Donnell, *President*
Clifford Sweeney, *Vice President*
Glenn Blanchard, *Treasurer*
Joseph Ritz III
Elizabeth Buckman

Town Manager
Cathy Willets

Town Clerk
Madeline Shaw

TOWN MEETING AGENDA April 2, 2018 – 7:30 p.m.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. FUTURE MEETINGS

Citizen's Advisory Committee Meeting: April 17, 2018 at 7:30 p.m.
National Arbor Day Observance and Celebration: April 28, 2018 at 9:00 a.m.
Quarterly Planning Commission Meeting: April 30, 2018 at 7:30 p.m.
Dog Park Grand Opening: May 5, 2018 at 9:00 a.m.
Town Council Meeting: May 7, 2018 at 7:30 p.m.

4. MEETING ITEMS

A. APPROVE MINUTES: MARCH 5, 2018

B. POLICE REPORT

C. TOWN MANAGER'S REPORT

D. TOWN PLANNER'S REPORT

E. COMMISSIONER COMMENTS

F. MAYOR'S COMMENTS

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS (DETAILS ATTACHED)

- I. Proclamation: April as National Child Abuse Prevention Month.
- II. Proclamation: Arbor Day Observance on April 28, 2018.
- III. Recommendations Related to Multi-User Trail Route.

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

- I. ~~Frederick County Harm Reduction and Syringe Service Programs~~ (postponed to 05/07/2018 town meeting)
- II. Update to Parking Policy and Ordinances for Discussion.
- III. Presentation by Town Staff on Short Term Transient Rentals.
- IV. Public Comment Timing in Meetings for Consideration.

M. SET AGENDA FOR NEXT MEETING: MAY 7, 2018

5. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

6. ADJOURN

A. APPROVE MINUTES: MARCH 5, 2018

**MINUTES
TOWN MEETING
March 5, 2018
Emmitsburg Town Office**

Present: Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, Joseph Ritz III, and Tim O'Donnell, President. **Staff Present:** Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Cole Tabler, Town Accountant. **Others Present:** Deputy Ben Whitehouse. **Absent:** Clifford Sweeney, Vice President, with prior notice.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the March 5, 2018 Town Meeting to order at 7:31 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were announced.

Approval of Minutes

Motion: To approve the February 5, 2018 town meeting minutes as presented. Motion by Commissioner Buckman, second by Commissioner Ritz III. Vote: Motion carries 3-0 in favor. Commissioner Blanchard and Sweeney absent.

Police Report:

Deputy Whitehouse presented the police report from February 2018 (exhibit attached). Deputy Whitehouse explained there has been some petty theft involving a Jubilee vending machine. The deputies met with Mount Saint Mary's (MSM) staff to discuss MSM student problems. There was one crash report, which was not related to the State Highway Administration (SHA) construction.

Note: Commissioner Blanchard arrived at 7:35 PM.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from January 2018 (exhibit attached). Ms. Willets mentioned Rainbow Lake is at the spillway level. The Town currently has a surplus of precipitation. 39.1% of the water treated in January 2018 was wild water. The Waste Water Treatment Plant capacity was exceeded once. There was one spill of untreated sewerage due to the Pump Station back up (from someone flushing industrial paper towels and mop pieces down the drain), which caused a man hole overflow that was reported to MDE. Town staff continues to collect quotes for removing residents from the 8-inch mountain water line. The director of the Afterschool Club House, a free recreational program for elementary school students, is looking to retire soon. The direction and future of the program is still being determined, but a replacement might be hired soon depending on the future of the program.

Announcement of a Closed Session

President O'Donnell announced the need for a closed executive session at the conclusion of the March 5, 2018 Town Meeting as permitted by the *Annotated Code of Maryland, General Provisions Article Section 3-305(b) Closed Meetings, Item 8*: "Pending or Potential Litigation."

Town Planners Report:

Cathy Willets, Town Manager, presented the Town Planner's Report from January 2018 on behalf of Susan Cipperly, Town Planner (exhibit attached). Ms. Cipperly submitted the quarterly report for fiscal year 2017 for the Square Revitalization Project, which the town received a \$75,000 grant to complete. Ms. Cipperly received a permit application for a model home in Brookfield. All new single-family homes are required to have sprinklers per Frederick County and Town Code. McDonalds is going to be updating their site starting with the parking lot and signs. Finally, Ms. Willets announced Ms. Cipperly will be retiring on July 26, 2018. Town staff would like a two-week overlap for training a new planner. A recommendation will be brought to the Board in June 2018.

Commissioner Comments:

- Commissioner Buckman: She requested the Potomac Edison light at the School House Apartments gets replaced and asked if the town could install a bridge or retaining wall to prevent flooding in Community Park near the walking path/playground. Staff will look into both items.
- Commissioner Ritz III: He has tentative dates for the summer concerts. He will email the dates to town staff.
- Commissioner Blanchard: He announced the March 2018 Maple Syrup Festival in Cunningham Falls State Park.
- Commissioner O'Donnell: He attended a February 11th meeting to encourage charity and training bike rides in Emmitsburg. He also attended a livable Frederick presentation at Catoctin High School, a NICA youth mountain biking program and the Highway User Revenue (HUR) hearing with the Mayor. He added tree planting along Brookfield Drive would be a beneficial future forestry project.

Mayor's Comments:

Mayor Briggs attended numerous meetings in February 2018 (meetings listed in agenda packet). Mayor Briggs attended a meeting reviewing security measures for the Afterschool Club House in lieu of the Florida school shooting. He attended the Highway User Revenue (HUR) conference in Annapolis and he hopes the funds will be restored to Emmitsburg soon. He thanked all the local organizations and volunteers such as the Food Bank, Seton Center, Pregnancy Center, Backpacks for Kids, Catoctin Feeder School, Boy Scouts and local churches for their work.

Public Comments:

Donald Sonn, Emmitsburg Tattoo Company owner, 2 West Main Street - Mr. Sonn explained there is a sharp curb along Federal Avenue that popped his tire. He inquired about who will take care of the new planters at the Town Square. He also inquired about a solution to cigarette butts at the Town Square. Ms. Willets explained SHA is experiencing design issues along Federal Avenue that should be fixed soon; the planters will be SHA's responsibility the first year then town staff's responsibility; the Town is currently applying for a grant to get cigarette litter receptacles at the square.

Administrative Business:

- ❖ Item 1 - LG Sonic Update: Ms. Willets explained town staff wanted to give a brief update before the system is reinstalled in March 2018. The numbers from 2016 (April 2016 to December 2016) and 2017 (April 2017 to December 2017) were compared to determine the effectiveness of the system. Town staff found backwash water usage was reduced resulting in the saving of 384,888 gallons of water (or the equivalent of 50.5 taps). Overtime was reduced 31%, chemical costs were reduced 27% and Green Clean Pro is no longer needed. Ms. Willets explained the system lost signal with the satellites for an entire month during the peak algae season, which caused some problems. The system did great with removing blue algae but struggled removing brown algae during the fall. Town staff feels the system is working, and the EPA is going to start testing for algae toxins in water so the system will continue to be beneficial. Commissioner O'Donnell requested the final budget numbers for the system, which town staff will present during the budget presentations in June 2018.
- ❖ Item 2 - Proposed Trail Route Flagging for Consideration: Commissioner O'Donnell explained the Trail Conservancy did not meet the Town's agenda packet deadline for the flagging bids. As a result, Commissioner O'Donnell requested the item get tabled until the next town meeting. He requested the Board approve the 2018 trail workdays instead. Commissioner O'Donnell handed the gavel to Commissioner Blanchard.

Motion: To accept the days as presented: 04/22, 5/20, 06/16 and 06/24. Motion by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 4-0 in favor with Commissioner Sweeney absent.

Consent Agenda:

None.

Treasurer's Report:

Commissioner Blanchard presented the Treasurer's Report for February 2018 (exhibit in agenda packet). The operating balance forward is \$5,362,446. The top 10 check amounts are listed in the March 2018 agenda packet.

Planning Commission Report:

Cathy Willets presented the Planning Commission Report from February 2018 (exhibit attached). The Commission voted to have short-term transient rentals registered with the Town. The agenda item will come before the Board in April 2018 where the Board will need to vote on how to proceed with the item.

II. Agenda Items

Agenda #1 - Tentative: Audit presentation by Michele Mills: Michele Mills, Public Accountant, and Addie Blickenstaff, In-Charge Accountant, with DeLeon & Stang, introduced themselves. The audit was completed in October 2017 and there were no significant problems identified. A presentation highlighting key information such as summaries on net position, statement of activities, operating revenues, etc. was made. The firm did not identify any material weaknesses in internal controls over financial reporting. No new accounting policies were adopted and no problems with town staff/management were encountered. Town staff was very helpful during the June and October 2017 visits.

Motion: To accept the fiscal year audit 2017 results of the audit from DeLeon & Stang. Motion by Commissioner Blanchard, second by Commissioner Buckman. Vote: Motion carries 4-0 in favor, with Commissioner Sweeney absent.

Agenda #2 - 2018 Pool Management Contract for Consideration: Ms. Willets presented the pool contract for consideration. The request for proposal was publicized on December 15, 2018. The bids were due February 2, 2018. Two (2) total bids were received, one from American Pools for \$58,086.00 and one from RSV Pools Inc. for \$54,489.00. Town staff recommends RSV Pools Inc., which was used during the 2016 pool season. John Clapp, Town Attorney, reviewed the contract and made slight modifications. Town staff is on schedule for filling the pool with water by May 1, 2018. RSV Pools Inc. was chosen over American Pools due to the price, familiarity, personable manner and references. If the Lions Club would like to run the concession stand, a proposal for operations (e.g. what items to sell) should be given to town staff. There are uniform guidelines and behavior guidelines in place for the pool management company's employees. Town staff suggested doing a two or three year pool management contract in the future.

Motion: To accept the contract for RSV Pools as presented today. Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 4-0 in favor with Commissioner Sweeney absent.

Agenda #3 - Agreement between the Town and Milani Construction Related To Water Line Relocation at the Bridge Project: Ms. Willets explained town staff cautioned Milani Construction that the town's 10-inch waterline along East Main Street needed to be moved for the completion of the Route 140 Bridge Project (over Flat Run Creek). Milani Construction did not heed the town's warning and has now determined the waterline needs to be moved. The Town refuses to pay for the waterline relocation because initial concerns were ignored and the Town did not request the project. The total cost to relocate the line is \$38,000, which will be divided up based on prior right-of-ways. The Town's portion would be \$19,000, but Milani has agreed to pay this amount because initial concerns were not addressed. SHA did not agree to a three party agreement, which is why there are two separate agreements. John Clapp, Town Attorney, drafted the proposed agreement in the 03/05/2018 agenda packet. Milani Construction has already given the Town a check that will be held in escrow until the project is complete in case more funds are needed.

Calvin Haxton, Hampton Valley Road - Mr. Haxton believes town staff is approaching the relocation of the water line in the most efficient way.

Motion: To approve the agreement between the Town and Milani Construction regarding the waterline relocation at the bridge project. Motion by Commissioner Ritz III, second by Commissioner Blanchard.
Vote: Motion carries 4-0 in favor with Commissioner Sweeney absent.

Ms. Willets reviewed the second agreement between SHA and the Town. The agreement specifies what portion of the water line relocation cost the Town is responsible for and what portion SHA is responsible for and other project guidelines. Town staff and the town attorney tried for a third party agreement, but SHA does not do them.

Motion: To accept the letter of agreement for the water line relocation of the Town of Emmitsburg in conjunction with the MDOT SHA's contract #FR5365180. Motion by Commissioner Buckman, second by Commissioner Blanchard.

Vote: Motion carries 4-0 in favor, Commissioner Sweeney absent.

Agenda #4 - Park Pavilion Policy Amendment for Consideration: Ms. Willets explained the ball field reservation policy was approved at the February 5, 2018 town meeting. Town staff would like to have a separate policy for ball field reservation fees and one for park pavilion fees. There are no changes in the fees. Town staff is requesting this change to eliminate the confusion of having two active policies with ball field reservation information on them.

Motion: To accept policy P18-04. Motion by Commissioner Ritz III, second by Commissioner Blanchard.

Vote: Motion carries 4-0 in favor with Commissioner Sweeney absent.

Set Agenda Items for April 2, 2018 Town Meeting

1. Frederick County Harm Reduction and Syringe Service Programs.
2. Update to Parking Policy and Ordinances for Discussion.
3. Presentation by Town Staff on Short Term Transient Rentals.
4. Public Comment Timing in Meetings for Consideration.

Admin Business:

- A. Proclamation: April as National Child Abuse Prevention Month.
- B. Proclamation: Arbor Day Observance on April 28, 2018.
- C. Recommendations Related to Trail Flagging.

Commissioner Buckman requested the Board review the procedures for ethic complaints at a future town meeting. Mayor Briggs suggested doing a Code of Conduct policy with ethic guidelines since the two go hand-in-hand.

Motion: To accept the agenda as discussed. Motion by Commissioner Blanchard, second by Commissioner Ritz III.

Vote: Motion carries 4-0 in favor.

Closed Session Motion:

At 9:45 p.m. President O'Donnell handed the gavel to Commissioner Blanchard.

Motion: To close the March 5, 2018 town meeting at its conclusion for a closed executive session to consult with staff consultants or other individuals about pending potential litigation regarding the 8-inch mountain waterline as permitted by the *General Provisions Article Section 3-305(b), Item 8*. Motion by Commissioner O'Donnell, second by Commissioner Buckman. Vote: Motion carries 4-0 in favor, with Commissioner Sweeney absent.

Motion: To close the meeting. Motion by Commissioner Blanchard, second by Commission Ritz III.

Vote: Motion carries 4-0 in favor with Commissioner Sweeney absent.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, the March 5, 2018 Town Meeting was adjourned at 9:47 p.m. EST. Four minute recess was taken prior to entering into a closed session.

Respectfully submitted,

Madeline Shaw
Town Clerk

Approved:

**CLOSED EXECUTIVE SESSION SUMMARY
EMMITSBURG TOWN OFFICE
MARCH 5, 2018**

Time Closed Session Began: 9:52 p.m. EST

Place of Closed Session: Town Office, 300A South Seton Avenue Emmitsburg, Maryland

Purpose: To consult with staff, consultants, or other individuals about pending or potential litigation.

Members Who Voted to Meet in Closed Session: Commissioners: Timothy O'Donnell, Elizabeth Buckman, Glenn Blanchard and Joseph Ritz III.

Persons Attending Closed Session: Commissioners: Timothy O'Donnell, Elizabeth Buckman, Glenn Blanchard and Joseph Ritz III; Mayor Donald Briggs; Staff Present: Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Nail, Code Enforcement Officer.

Authority Under § 3-305 for the Closed Session: Item 8, pending or potential litigation.

Topics Actually Discussed: Pending or potential litigation in relation to the 8-inch mountain water line.

Actions Taken: Consensus among all four Board members to uphold Mayor Brigg's recommendation. No vote was taken only consensus among Board members.

Time Closed Session Ended: 10:20 p.m. EST

B. POLICE REPORT: Presentation by deputies at the meeting.

C. TOWN MANAGER'S REPORT

**Town Manager's Report
February 2018
Prepared by Cathy Willets**

Streets:

- Staff and contractor plowed and salted for snow/ice events.
- Staff repaired pot holes around Town.

Sidewalk and Bridge Project:

- Staff marked utilities around the square for sidewalk project.
- Staff took down streetlights around square for sidewalk project.

Parks:

- Staff installed new fundraiser sign in front of dog park.
- Staff moved old equipment from pump room at pool.
- Staff moved dirt from pool parking lot to stock pile.

Water:

- Rainbow Lake is at the spillway level of 16.6 feet.
- The roughing filters are being backwashed three times a day and the DE filters are being done 2-3 times per week.
- Well levels (optimum level was determined to be May 2011). Well #1 and #2 usage is down as we are starting to get our lake number. Well #4 shut off.

	<u>May 2011</u>	<u>February 2018</u>	<u>Change</u>
○ Well #1:	35'	35'	0
○ Well #2:	8'	8'	0
○ Well #3:	12	37'	-25
○ Well #4:	108'	OFF	n/a
○ Well #5:	10'	13'	-3

- Water production and consumption. We produced an average of 271,218 GPD. We consumed an average of 254,966 GPD. The difference is "Backwash Water" ... (11.7%).
 - 37.0% of this water came from wells.
 - 5.0% of this water came from Mt. St. Mary's.
 - 58.0% of this water came from Rainbow Lake.

We purchased 400,250 gallons of water from MSM this month.

Wastewater:

- We received about 6.20" of precipitation this month (the average is 2.72").
 - We have a precipitation **SURPLUS** of 1.863" over the last six months. The average precipitation for the period from September 1 through February 28 is 20.52". We have received 22.35" for that period.

Wastewater Treatment:

- We treated an average of 782,000 GPD (consumed 254,966 GPD) which means that **67.4%** of the wastewater treated this month was "wild water".
 - We had no spills of untreated sewerage in the month of February.
 - We did exceed the plant's design capacity one time in the month of January
- | | | | | | |
|--------------|-------|--------------|-------|--------------|-------|
| 923,000gpd | 02/04 | 774,000gpd | 02/05 | 1,755,000gpd | 02/07 |
| 940,000gpd | 02/08 | 783,000gpd | 02/10 | 1,769,000gpd | 02/11 |
| 918,000gpd | 02/12 | 885,000gpd | 02/16 | 774,000gpd | 02/22 |
| 1,245,000gpd | 02/23 | 1,108,000gpd | 02/24 | 1,400,000gpd | 02/25 |
| 796,000gpd | 02/26 | | | | |

Trash: Trash pickup will remain Mondays for the remainder of the month of April.

Meetings Attended:

- 02/01 Met with HR consultant regarding town planner position
- 02/02 Met with Mayor
- 02/05 Attended Town Meeting
- 02/06 Met with Mayor
- 02/08 Met with staff to review baseball policy, agreement, etc.
- 02/12 Met with Mayor
- 02/14 Met with staff to review water production vs. water metered
- 02/15 Attended department head meeting
- 02/15 Attended quarterly budget review meeting
- 02/15 Attended support staff meeting
- 02/15 Met with Mayor
- 02/15 Met with staff regarding upcoming pool management company RFP
- 02/20 Met with Mayor
- 02/21 Met with Mayor
- 02/22 Met with staff and representatives with Kershner regarding LG Sonic performance
- 02/26 Met with Mayor
- 02/26 Attended SHA design meeting
- 02/27 Met with staff regarding 8" mountain water line and wells
- 02/28 Attended meeting with staff and residents hooked to 8" line to discuss resolutions

Noteworthy:

- Inflow & Infiltration(I&I): The plant was over capacity 13 times this month due mostly to the amount of I&I. The WWTP is bringing in an estimated .351 MGD excess daily of I&I over our yearly average. Ideally we should be near the total flow to Town from the Water treatment plant. With industry standards, estimating it costs approx. \$2.00/1,000gpd, it cost us approx. \$25,256 this month alone to treat I&I (wildwater).
- There were a lot of power blips at WWTP causing problems with the electronics. The surge suppressor module went out.
- The heater and electric hoist at pumping station still not operational.
- Chemical usage is down at the WWTP.
- The potable water pump #1 replaced at WTP.
- Bacteria test for new line at Seton Center passed.
- Transducer replaced and set on storage tank #1.

PARKING ENFORCEMENT REPORT
February 2018

Overtime Parking	71
Restricted Parking Zone	3
Parked in Crosswalk	
Parked on Sidewalk	1
Parked Blocking Road	
Parked by Fire Hydrant	
Parked on Highway	
Failure to Park between Lines	
Other Violation	
Left Side Parking	3
Meter Money	\$651.27
Parking Permits	\$230.00
Meter Bag Rental	
Parking Ticket Money	\$445.00
Funerals	
Total:	\$1,326.27

D. TOWN PLANNER'S REPORT

Town Planner's Report
February 2018
Prepared by Susan H. Cipperly, AICP

1. **GIS** – Continued working with ALWI staff person and town DPW staff regarding water/sewer mapping. Efforts delayed by weather and emergencies. Also: prepared various maps to support grant applications and other town projects. Will be working with ALWI to map storm drains and SWM facilities needed for the MS-4 (stormwater) permit
2. **Sidewalk Project:** Fielded resident complaints and concerns, and passed them along to SHA. Provided info to parking enforcement and office manager regarding daily need to be designated No Parking. Provided wording for website, Facebook and Ch. 99. Sent e-mails to business community as needed. Attended meetings and on-site discussions regarding design elements. Sent Right of Entry letters to two properties on N. Seton that will have sidewalk work done in front of their property.
3. **Community Legacy:** Submitted Façade and Restoration grant quarterly reports for FY2016 and FY2017. Communicated with DHCD contact regarding quarterly reports and funding. Processed reimbursement request for completed projects. Will be able to close out FY2016 grant once these reimbursements are received.
4. **Brookfield Development** – Interacted with engineers, permit runner, Frederick County, etc. regarding permit for Wheatley Drive model home, and Brookfield, in general.
5. **Permits and Zoning Inquiries -- highlights**
 - Pool building roof replacement permit issued.
 - Emmitsburg Elementary School roof replacement permit issued. Work will take place between mid-June and mid-August. Project will involve asphalt, thus some amount of odor.
 - Conferred with McDonald's reps regarding permits for total upgrade of interior & exterior.
 - Followed up on permit enforcement situations in progress, together with Frederick County permits office.
 - Issued Emmit Gardens play lot permit. Work can commence when weather permits.
 - Discussed with Frederick County whether pool parking lot would need Stormwater Management (SWM) permit. It does not exceed the square footage that would kick it into a category requiring a SWM permit. Local permit only will be needed.
7. **Business.** Provided information to doctor re potential office locations, as allowed by zoning.
8. **FEMA/FIRM** – Provided contact info to FEMA/FIRM for SHA bridge design and 507 E Main grading permit, as these will affect the new mapping of floodplains discussed at a Jan. 30 meeting.
9. **Planning Commission** –Prepared materials for Feb. 26 meeting, and attended said meeting.

Upcoming projects/activity as of March 2018 - Planning and Zoning:

Continue with MS-4, GIS, Sidewalk, etc.

Board of Appeals: Contact new alternate regarding training requirements and arrange BOA meeting to undertake reorganization, since there have been new members appointed.

Enforcement: There are several enforcement issues that have been backlogged due to other activity taking precedence. Need to follow up with property owners and Frederick County regarding violations.

Ordinance amendments and revisions: There are topics that have arisen that indicate a need to update sections of the ordinance to reflect newer practices and uses, and to assure that the ordinance meets current legal standards relative to items such as sign regulation, short-term rentals, etc. Will also be making a list of recommended areas of the ordinance that need to be updated.

Organize: Planning and Zoning files and computer files in contemplation of upcoming retirement.

E. COMMISSIONER COMMENTS

F. MAYOR'S COMMENTS

- March 5 , met with town manager
- March 6, meeting with Mount St. Mary's Chief of Staff
- March 6, met with town manager
- March 8, meeting with Emmitsburg Glass at Emmitsburg Glass
- March 9, met with town manager
- March 13, met with town manager
- March 14, Green Team
- March 14, met with Seniors Group
- March 15, met with town manager
- March 16, met with town manager
- March 19, met with town manager
- March 22, met with town manager
- March 23, Roger Wilson, at Winchester Hall
- March 27, met with town manager
- March 29, met with town manager

Upcoming Community Events and Grand Openings:

- Sat. April 28, 2018 at 9:00 a.m.: **Arbor Day Celebration**, Community Park
- Sat. May 5, 2018 at 9:00 a.m.: **Dog Park Grand Opening**, Community Park
- Sat. June 2, 2018 at Noon: **Community Pool Grand Opening**, Community Park
- Sat. June 30, 2018 at 9:00 a.m.: **Town Square Dedication**, Main Street/Seton Avenue

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS

- I. **Proclamation: April as National Child Abuse Prevention Month:** Presented by Mayor Briggs and town staff.

Proclamation

NATIONAL CHILD ABUSE PREVENTION MONTH APRIL 2018

WHEREAS, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community; and

WHEREAS, the effects of child abuse are felt by a whole community and need to be addressed by the entire community; and

WHEREAS, effective child abuse prevention programs succeed because partnerships are created among social service agencies, schools, religious organizations, local governments, law enforcement agencies, and the business community; and

WHEREAS, youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community; and

WHEREAS, all citizens should become involved in supporting parents to raise their children in a safe, nurturing environment.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Town of Emmitsburg, Maryland do hereby proclaim the month of April as National Child Abuse Prevention Month in the Town of Emmitsburg and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in efforts to prevent child abuse, thereby strengthening the Emmitsburg community.

ADOPTED this _____ day of _____, 2018.

Donald N. Briggs
Mayor

Timothy O'Donnell, President
Board of Commissioners

- II. **Proclamation: Arbor Day Observance on April 28, 2018:** Presented by Mayor Briggs and town staff.

Proclamation
 **Arbor Day**
SATURDAY APRIL 28, 2018

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Town of Emmitsburg, Maryland do hereby proclaim April 28, 2018 as Arbor Day in the Town of Emmitsburg. We call upon all citizens and organizations to support efforts to protect our trees and woodlands by planting trees to gladden the heart and promote the well-being of this and future generations.

ADOPTED this _____ day of _____, 2018.

Donald N. Briggs
Mayor

Timothy O'Donnell, President
Board of Commissioners

III. Recommendations Related to Multi-User Trail Route: Presented by Commissioner O'Donnell.

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

**Town of Emmitsburg
 CASH ACTIVITY as of March 28, 2018**

\$5,375,493	Cash Balance March 1, 2018
105,376	Deposits
<u>-182,723</u>	Withdrawals
\$5,298,146	Operating Balance Forward

Top 10 Check Amounts:

Amount	Vendor Name	Description	Check Date	Check Number
\$21,315	MD Dept of Budget & Mgmt	Feb 18 Health Insurance	02.28.18	38055
\$14,111	GDF Suez Energy Resources	Annual Steel Tank	03.14.18	38122
\$9,082	RSV Pools	Apr 18 Swimming Pool Mgmt	03.22.18	38141
\$8,150	Coldsmith Roofing	Pool House Roof - 50% Pmt	03.22.18	38126
\$6,875	Core & Main LP	Seton Center Meter	03.22.18	38127
\$5,875	Republic Services	Mar 18 Refuse Services	03.14.18	38100
\$5,542	Univar USA Inc	Chemicals	02.28.18	38062
\$5,453	UGI Energy Services	Feb 18 Solar Field #2	03.22.18	38143
\$5,227	UTZ Handyman and Remolding	140 South Seton Paint - 33% Pmt	03.22.18	38144
\$4,199	George S Coyne Chemical	Methanol	03.14.18	38105

Ck dates 02.28.18 to 03.27.18

K. PLANNING COMMISSION REPORT: Presentation at the meeting.

L. AGENDA ITEMS:

- I. Frederick County Harm Reduction and Syringe Service Programs:**
Presentation at meeting by Jessica Ellis, Syringe Services Program Coordinator
with Frederick County Behavioral Health Services.

**NOTE: POSTPONED TO 05/07/2018 TOWN MEETING
(PENDING BOARD AGENDA APPROVAL)
PER THE REQUEST OF THE
FREDERICK COUNTY HEALTH DEPARTMENT**

AGENDA ITEMS CONTINUED:

II. Update to Parking Policy and Ordinances for Discussion: Presentation at meeting by town staff.

POLICY SERIES 2003

PAGE 1 OF 1

POLICY NO. P03-03

**TOWN OF EMMITSBURG
PARKING CITATION & METER PERMIT POLICY**

As of this date and pursuant to Chapter 10.12 Stopping, Standing and Parking and 10.16 Parking Meters of the Emmitsburg Municipal Code.

All parking violations will be fined according to the following fee schedule:

	<u>Fine</u>	<u>After 20 days</u>
Overtime Parking	\$ 5.00	\$20.00
Restricted Parking Zone	\$15.00	\$30.00
Parked In Crosswalk	\$25.00	\$35.00
Parked On Sidewalk	\$25.00	\$35.00
Parked Blocking Driveway	\$25.00	\$35.00
Parked by Fire Hydrant	\$40.00	\$55.00
Parked Blocking Highway	\$40.00	\$55.00
Failure To Park Between Lines	\$15.00	\$30.00

Parking Permits will be according the following schedule:

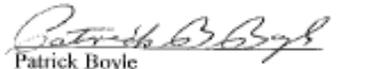
Daily Bag Rental	\$ 2.00/day
Six (6) Month Permit	\$75.00
Three (3) Month Permit	\$50.00

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this Policy shall take effect on the 6th day of October 2003.

PASSED this 6th day of October, 2003.

ATTEST:


Donna Thompson, Town Clerk


Patrick Boyle
President of the Board of Commissioners

APPROVED this 20th day of October, 2003.


James E. Hoover, Mayor

VETOED this _____ day of _____, 2003.

James E. Hoover, Mayor

POLICY SERIES: 2018
 POLICY NO.: P18 – 03

Page 1 of 2

TOWN OF EMMITSBURG
PARKING VIOLATION FINES AND PARKING PERMIT FEES

This Policy will replace previously adopted policy P03-03 on parking citations and meter permits.

As of this date and pursuant to Title 10, Section 10.12 entitled Stopping, Standing and Parking, and Section 10.16 entitled Parking Meters of the Emmitsburg Municipal Code, parking violations fines and parking permit fees shall be as follows:

A. All parking violations will be fined according to the following fee schedule:

Violation:	Fine:	After 20 Days:
Overtime Parking	\$ 10.00	\$25.00
Restricted Parking Zone	\$15.00	\$30.00
Parked In Crosswalk	\$25.00	\$35.00
Parked On Sidewalk/ CURB	\$25.00	\$35.00
Parked Blocking Driveway	\$25.00	\$35.00
Parked by Fire Hydrant	\$40.00	\$55.00
Parked Blocking [Highway] STREET	\$40.00	\$55.00
Failure To Park Between Lines	\$15.00	\$30.00
Left Side Parking	\$15.00	\$30.00
Snow Emergency Route	\$25.00	\$35.00
Parking for 48 Consecutive Hours	\$15.00	\$30.00

B. Parking permit AND PARKING SIGN charges will be according to the following fee schedule:

Daily [Bag] SIGN Rental	\$ [2.00] \$ 5.00/day
Six (6) Month Permit	[\$75.00] \$115.00
Three (3) Month Permit	[\$50.00] \$ 60.00

POLICY SERIES: 2018
POLICY NO.: P18 – 03

Page 2 of 2

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this policy shall take

effect on _____ day of _____, 2018.

PASSED this _____ day of _____, 2018.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

_____ APPROVED _____ VETOED

This _____ day of _____, 2018

Donald N. Briggs, Mayor

POLICY SERIES 2002
POLICY NO. P02-002

PAGE 1 OF 2

**TOWN OF EMMITSBURG
PARKING METER
BAG RENTALS**

PARKING METER BAG RENTALS

Policy: Adopted by the Town Council on August 29, 1985 (Revised January 7, 1991, October 3, 1994 and October 8, 2002).

1. Only **THREE (3)** parking meter bags shall be issued for social type events (i.e. weddings, receptions, anniversaries, etc). Limit: one day rental
2. A maximum of **THREE (3)** parking bags shall be issued for business type activities (i.e., moving vans/trucks, repair and/or construction vehicles, etc.)
3. No tickets will be issued to cars at meters with valid parking bags over said meters during the time the meters are in effect.
4. Bag(s) shall be secured over the meter by Town Code Enforcer or Public Works employee.
5. **\$2.00** for use of the meter bag for each day used.
6. If for any reason more parking bags or additional days are requested than allowed for by this policy, the request for additional bags and/or time shall be made at the Town Office.

Renter

Date Bag Requested

Town Office Representative

Amount Paid for Bag(s)

Number of bag(s) Requested

POLICY SERIES: 2018
POLICY NO.: P18 – 05

Page 1 of 2

TOWN OF EMMITSBURG
PARKING METER RESERVATION POLICY

This Policy will replace previously adopted parking meter bag policy P02-02.

“Parking Meter Reserved” signs are a convenience available for use by companies and individuals while engaged in a business activity involving repair, maintenance, construction, utility work or business relocation. “Parking Meter Reserved” signs are also a convenience available to individuals engaged in social type events such as weddings, receptions, anniversaries, etc.

As of this date, “Parking Meter Reserved” signs shall follow the below guidelines:

1. A maximum of **THREE (3)** “Parking Meter Reserved” signs shall be issued for business type activities such as repair, maintenance, construction, utility work, business or individual homeowner relocation.
2. Only **THREE (3)** “Parking Meter Reserved” signs shall be issued for social type events such as weddings, receptions, anniversaries etc. **These are limited to a one (1) day rental.**
3. All “Parking Meter Reserved” sign rentals require a minimum of twenty-four (24) hour notice or they will be denied.
4. The rental of the “Parking Meter Reserved” signs is temporary and may only be used at the location specified on the application.
5. There will be no removal of “Parking Meter Reserved” signs or installations of “Parking Meter Reserved” signs on Saturdays, Sundays or Holidays. “Parking Meter Reserved” signs are to be secured over the meter by the Town’s Parking Enforcement Officer or a Public Works Employee; the signs will be removed by the Town’s Parking Enforcement Officer or a Public Works Employee.
6. Each reserved parking meter is \$5.00 per day, Monday through Sunday.
7. No parking tickets will be issued to vehicles at meters with valid “Parking Meter Reserved” signs over the meters.
8. Any exceptions for additional days and/or times than allowed for by this policy should be made at the Emmitsburg Town Office and will be approved or denied on a case-by-case basis.
9. The Emmitsburg Town Office may revoke any “Parking Meter Reserved” signs if used for any purpose other than that which is authorized or for any violation of the terms and conditions of this policy.

POLICY SERIES: 2018
POLICY NO.: P18 – 05

Page 2 of 2

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this policy shall
take

effect on this ____ day of _____, 2018.

PASSED this ____ day of _____, 2018.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

____ APPROVED ____ VETOED

This ____ day of _____, 2018.

Donald N. Briggs, Mayor

AN ORDINANCE TO AMEND
TITLE 10
OF THE CODE OF EMMITSBURG
ENTITLED
VEHICLES AND TRAFFIC

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 10, Sections 10.04.010 and 10.04.020 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~{brackets and strike out}~~.

Chapter 10.04 - General Provisions

Sections:

10.04.010 - Definitions.

The following words and phrases when used in this chapter shall for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except as hereinafter specifically provided:

~~["Authorized emergency vehicles" means vehicles of the fire department, police vehicles, ambulances and other emergency vehicles as are designated by the chief of police.]~~

“BUS” MEANS:

- A. A MOTOR VEHICLE THAT IS DESIGNED TO CARRY MORE THAN TEN PASSENGERS AND IS USED TO CARRY PEOPLE; AND**
- B. ANY OTHER MOTOR VEHICLE THAT IS DESIGNED AND USED TO CARRY PEOPLE FOR COMPENSATION, EXCEPT FOR A TAXICAB.**

"Commercial motor vehicles" means all motor vehicles, including semi-trailers and trailers, designated or used for carrying freight or merchandise in the furtherance of any commercial enterprise.

"Crosswalk" means any portion of a roadway distinctly indicated for pedestrian crossing by lines or other marking on the surface of that portion of a street ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections.

“EMERGENCY VEHICLE” MEANS ANY OF THE FOLLOWING VEHICLES THAT ARE DESIGNATED BY THE ADMINISTRATION AS ENTITLED TO THE EXEMPTIONS AND PRIVILEGES SET FORTH IN THE MARYLAND VEHICLE LAW FOR EMERGENCY VEHICLES:

- A. VEHICLES OF FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AGENCIES;**
- B. VEHICLES OF VOLUNTEER FIRE COMPANIES, RESCUE SQUADS, FIRE DEPARTMENTS, THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS, AND THE MARYLAND FIRE AND RESCUE INSTITUTE;**
- C. STATE VEHICLES USED IN RESPONSE TO OIL OR HAZARDOUS MATERIALS SPILLS;**
- D. STATE VEHICLES DESIGNATED FOR EMERGENCY USE BY THE COMMISSIONER OF CORRECTION;**

**E. AMBULANCES; AND
F. SPECIAL VEHICLES FUNDED OR PROVIDED BY FEDERAL, STATE, OR LOCAL GOVERNMENT AND USED FOR EMERGENCY OR RESCUE PURPOSES IN THIS STATE.**

"Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or if none, the lateral boundary lines of the roadways of two streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

~~["Motor vehicle" means, every vehicle which is self-propelled except vehicles operated exclusively upon rails.]~~

"MOTOR VEHICLE" MEANS A VEHICLE THAT:

- A. IS SELF-PROPELLED OR PROPELLED BY ELECTRIC POWER OBTAINED FROM OVERHEAD ELECTRICAL WIRES; AND**
- B. IS NOT OPERATED ON RAILS.**

"MOTOR VEHICLE" INCLUDES A LOW SPEED VEHICLE.

"MOTOR VEHICLE" DOES NOT INCLUDE:

- 1. A MOPED;**
- 2. A MOTOR SCOOTER; OR**
- 3. AN ELECTRIC BICYCLE.**

~~["Motorcycle" means every motor vehicle having a saddle for the use of the rider and designated to travel on not more than three wheels in contact with the ground but excluding a tractor.]~~

"MOTORCYCLE" MEANS A MOTOR VEHICLE THAT:

- A. 1. HAS MOTIVE POWER;**
- 2. HAS A SEAT OR SADDLE FOR THE USE OF THE RIDER;**
- 3. IS DESIGNED TO TRAVEL:**
 - i. ON NOT MORE THAN THREE WHEELS IN CONTACT WITH THE GROUND;
AND**
 - ii. AT SPEEDS EXCEEDING 35 MILES PER HOUR; AND**
- 4. IS OF A TYPE REQUIRED TO COMPLY WITH ALL MOTOR VEHICLE SAFETY STANDARDS APPLICABLE TO MOTORCYCLES UNDER FEDERAL LAW; OR**
- B. IS AN AUTOCYCLE.**

DETACHABLE SIDECAR IS AN ACCESSORY TO AND NOT A PART OF A MOTORCYCLE.

"Owner" includes any person owning a vehicle or having the exclusive use thereof under contract of purchase, lease, hiring or rental thereof, or otherwise.

"Operator" means every person who is in actual control of a vehicle upon a street.

"PASSENGER CAR" MEANS A MOTOR VEHICLE, EXCEPT A MULTIPURPOSE PASSENGER VEHICLE OR MOTORCYCLE, DESIGNED FOR CARRYING 10 PERSONS OR LESS.

"PLUG-IN ELECTRIC DRIVE VEHICLE" MEANS A MOTOR VEHICLE THAT:

- A. IS MADE BY A MANUFACTURER;**
- B. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;**
- C. IS RATED AT NOT MORE THAN 8,500 POUNDS UNLOADED GROSS VEHICLE WEIGHT;**
- D. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND**

E. IS PROPELLED TO A SIGNIFICANT EXTENT BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

- 1. HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT-HOURS FOR 4-WHEELED MOTOR VEHICLES AND NOT LESS THAN 2.5 KILOWATT-HOURS FOR 2-WHEELED OR 3-WHEELED MOTOR VEHICLES; AND**
- 2. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.**

“PLUG-IN ELECTRIC DRIVE VEHICLE” INCLUDES A QUALIFYING VEHICLE THAT HAS BEEN MODIFIED FROM ORIGINAL MANUFACTURER SPECIFICATIONS.

"Policeman" or "police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of any of the provisions of this chapter.

"Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

"Right-of-way" means the privilege of the immediate use of the highway.

"Roadway" means that portion of a street improved, designated or ordinarily used for vehicular travel.

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines, of a roadway, and the adjacent property intended for the use of pedestrians.

"Street" includes all avenues, roads, highways, public thoroughfares, lanes, alleys and public ways within the town.

"Through street" means every street or portion thereof at the entrances to which vehicular traffic from intersecting streets is required to stop and yield the right-of-way before entering or crossing the same and when stop signs are erected as provided in this title.

"Traffic" means pedestrians, ~~[ridden or herded animals,]~~ vehicles, and other conveyances either singly or together while using any street for purposes of travel.

“TRUCK” MEANS A MOTOR VEHICLE, EXCEPT A MULTIPURPOSE PASSENGER VEHICLE, THAT IS DESIGNED, USED, OR MAINTAINED PRIMARILY TO CARRY PROPERTY.

~~["Vehicles" means every device in, upon or by which any person or property is or may be transported or drawn upon a street, except devices used exclusively upon stationary rails or tracks.]~~

“VEHICLE” MEANS ANY DEVICE IN, ON, OR BY WHICH ANY INDIVIDUAL OR PROPERTY IS OR MIGHT BE TRANSPORTED OR TOWED ON A HIGHWAY. “VEHICLE” INCLUDES A LOW SPEED VEHICLE AND AN OFF-HIGHWAY RECREATIONAL VEHICLE. “VEHICLE” DOES NOT INCLUDE AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE.

10.04.020 - Applicability of chapter to persons riding bicycles ~~[or animals or driving animal drawn vehicles].~~

Every person riding a bicycle ~~[or an animal or driving any animal drawing a vehicle]~~ upon a roadway shall be subject to the provisions of this chapter pertaining to rules of the road and obedience to traffic-control devices and signals as may be applicable to the driver of a motor vehicle ~~[except such as by their nature can have no application].~~

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2018
by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

MAYOR

_____APPROVED _____VETOED

this _____ day of _____, 2018.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date:

ORDINANCE SERIES: 2018
ORD. NO.: 18 – 04

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AN ORDINANCE TO AMEND TITLE 10
OF THE CODE OF EMMITSBURG
ENTITLED VEHICLES AND TRAFFIC

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 10, Sections 10.12.010, 10.12.020, 10.12.030, 10.12.040, 10.12.060, 10.12.090, 10.12.110 and 10.12.130 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~brackets and strike out~~.

Chapter 10.12 – Stopping, Standing, and Parking

Sections:

10.12.010 - Parking near fire hydrants, intersections, etc.

NO PERSON SHALL STAND OR PARK A VEHICLE ON ANY PUBLIC STREET OR PUBLIC RIGHT-OF WAY IN TOWN UNDER THE FOLLOWING CONDITIONS:

~~[No vehicles shall be allowed to park or stand within fifteen (15) feet of any fire hydrant, on or within twenty (20) feet of any street intersection, on that portion of any street where bus stops or taxi stops have been granted to any person, or during business hours on that portion of any street where special parking privileges have been granted or reserved by the town for the use of its officers and employees.]~~

- 1. ON SIDEWALK OR STRADDLING A CURB**
- 2. DRIVEWAY ENTRANCES – IN FRONT OF A PRIVATE DRIVEWAY WHICH PROVIDES ACCESS TO A PUBLIC STREET.**
- 3. PRIVATE OR PUBLIC DRIVEWAYS – A PERSON MAY NOT STOP, STAND OR PARK A VEHICLE PARTIALLY IN A PRIVATE OR PUBLIC DRIVEWAY, AND PARTIALLY INTO THE ROADWAY. VEHICLES MUST NOT EXTEND THE PROPERTY LINE OF THE DRIVEWAY INTO THE ROADWAY.**
- 4. FIRE HYDRANT – WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT.**
- 5. CROSSWALK – WITHIN TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION.**
- 6. STOP SIGN – WITHIN TWENTY-FIVE (25) FEET OF A STOP SIGN.**
- 7. INTERSECTION – WITHIN TWENTY (20) FEET OF AN INTERSECTION.**
- 8. SIGNS PROHIBITING PARKING – AT ANY PLACE WHERE STANDING OR PARKING IS PROHIBITED BY AN OFFICIAL SIGN.**
- 9. HANDICAPPED SPACE – IN A SPACE MARKED AS RESTRICTED FOR THE USE OF HANDICAPPED INDIVIDUALS UNLESS DISPLAYING A**

HANDICAPPED LICENSE PLATE OR PLACARD.

10. **FIRE LANE – AT ANY FIRE LANE MARKED BY A POSTED SIGN OR BY YELLOW OR RED CURBING.**
11. **BRIDGE- ON ANY BRIDGE OR ELEVATED STRUCTURE.**
12. **DOUBLE PARKING – A PERSON MAY NOT STAND OR PARK A VEHICLE ON THE ROADWAY SIDE OF ANY OTHER VEHICLE THAT IS STOPPED OR PARKED AT THE EDGE OF A CURB OR ROADWAY.**
13. **OTHER THAN WITHIN THE LINES OR MARKINGS ON THE STREET OR ON A TOWN PARKING LOT FOR THE PURPOSE OF THE DESIGNATION OF A PARKING SPACE.**
14. **PARKING ON THE STREET FOR A PERIOD OF FORTY-EIGHT (48) CONSECUTIVE HOURS WITHOUT BEING MOVED A FULL VEHICLE LENGTH.**
15. **IN ANY DESIGNATED PARKING SPACE WITH AN ADJACENT PARKING METER IF THE TIME DESIGNATION ON THAT METER SHOWS THE TIME HAS EXPIRED.**
16. **IN VIOLATION OF A VALID SIGN THAT LIMITS OR RESTRICTS PARKING BASED ON A DESIGNATED LENGTH OF TIME, TIME OF DAY AND OR/DAY(S) OF THE WEEK.**
17. **LEFT SIDE PARKING – PARKING OTHER THAN THE RIGHT SIDE OF A VEHICLE/PASSENGER SIDE TO THE CURB.**
18. **PARKING DURING A SNOW EMERGENCY IN VIOLATION OF SECTION 10.12.120.**

[2]

[~~10.12.020 – Restraining of vehicles.~~]

[~~Any vehicle which has three or more outstanding parking tickets issued to it by the police department and that are delinquent in payment may be rendered immobile by the police department. A wheel lock restraining device will be placed on a front wheel of the vehicle in violation by a member of the police department. The wheel lock device will be removed by a police officer only when (1) fines are paid for all outstanding parking tickets issued to that vehicle; and (2) a fee of twenty dollars (\$20.00) to removal of the restraining device is also paid].~~

10.12.020 – INOPERABLE UNATTENDED VEHICLES.

ANY MOTOR VEHICLE THAT IS INOPERABLE AND IS LEFT UNATTENDED ON A PUBLIC STREET OR PUBLIC PROPERTY FOR MORE THAN (48) HOURS, AND IS NOT DISPLAYING CURRENTLY VALID REGISTRATION PLATES OR IS DISPLAYING REGISTRATION PLATES OF ANOTHER VEHICLE, IS DISABLED OR INOPERABLE, IS DISMANTLED OR PARTIALLY DISMANTLED, IS SUBSTANTIALLY DAMAGED OR IN DISREPAIR SHALL BE DEEMED TO BE AN ABANDONED VEHICLE AND MAY BE TAKEN INTO CUSTODY BY THE TOWN OF EMMITSBURG AFTER PROVIDING THE OWNER WITH ADEQUATE NOTIFICATION SUCH AS POSTING PROMINENT NOTIFICATION ON THE VEHICLE AND IF POSSIBLE A CERTIFIED LETTER TO THE LAST OWNER ON RECORD WITH THE MOTOR VEHICLE ADMINISTRATION (IF THE OWNER CAN BE LOCATED) WITH RETURN RECEIPT REQUESTED.

[10.12.030—Special parking.]

- A. [The town may grant special parking permits to all doctors of medicine, surgeons, persons conducting hotels and such other persons in connection with the operation of their business as the board of commissioners shall think proper. All persons desiring special parking permits shall make application to the board of commissioners, in writing, describing the location of the premises and the purpose for which the special parking privilege is desired.]
- B. [Each application shall be accompanied by a check in the sum of ten dollars (\$10.00), to provide for a space sufficient for one vehicle, payable to the town as a fee for such privilege for a period of one year from the date of issuance of the special parking permit.]
- C. [Whenever any such special privilege is granted by the board of commissioners, a permit shall be issued to the applicant, signed by the mayor, designating the name of the person to whom the permit is granted, the number of the permit, the date of the issuance thereof, the date when the permit will expire, the amount paid thereon, the purpose for which it is granted and the location of the premises where the special permit is allowed. A copy of such permit shall be retained in the office of the mayor as a matter of record.]
- D. [The curb along the premises where the special parking privilege is granted shall be appropriately marked by the town indicating the length of the space of the special parking privilege along the property, and a metal tag shall be affixed to the premises where the permit is issued, showing the number of the special parking permit.]
- E. [Permits issued to doctors of medicine, surgeons and others shall authorize the use of the space indicated in the permit at all times during the business hours of the person to whom the permit is granted, except when the town may desire to clear the streets of vehicles.]
- F. [It is unlawful for any person to occupy any space where a special parking permit has been granted, other than the person to whom the permit is issued, or his patients or patrons, during such business hours. It is unlawful for any person to paint any special parking signs on the curb or highway, or erect or place any such signs along the sidewalks, except with the consent of the board of commissioners. It is unlawful for any person to injure or remove any metal special parking permit attached to any building without the consent of the town or to paint over or deface any marked special parking space.]

10.12.030 – REPAIR WORK PERFORMED ON VEHICLES

IT IS UNLAWFUL TO PERFORM ANY REPAIR OR WORK OF ANY NATURE ON ANY VEHICLE, EXCEPT THAT OF AN EMERGENCY OR MINOR NATURE (SUCH AS THE CHANGING OF A FLAT TIRE OR THE REPLACING OF A BATTERY), WHILE SAID VEHICLE IS PARKED OR LOCATED ON ANY STREET, AVENUE, WAY, ALLEY, TOWN PARKING LOT OR ANY PART OF A PUBLIC RIGHT-OF-WAY WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF EMMITSBURG.

A VIOLATION OF THIS SECTION SHALL BE A MUNICIPAL INFRACTION PUNISHABLE BY A CITATION OF THIRTY DOLLARS (\$30.00) AND SHALL BE ENFORCEABLE PURSUANT TO THE APPLICABLE PROVISIONS OF TITLE 1. IN ADDITION THERETO, THE TOWN MAY PURSUE ANY OTHER REMEDY AVAILABLE TO IT, AT LAW OR IN EQUITY, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THIS SECTION OR CORRECT VIOLATIONS OF THIS SECTION.

10.12.040 - No-parking areas.

The town may establish restricted areas on such portions of the streets of the town as it shall think proper, within which no parking of motor vehicles [~~animal drawn vehicles or animals shall be allowed~~]. Every such area shall be designated by painting the curb bordering thereon yellow. No vehicles, [~~animal drawn vehicles or animals~~] shall be allowed to stand or park in any such restricted area for a longer time than actually necessary to take on or discharge passengers. No other signals or standards designating areas where parking is not allowed shall be erected without the express authority of the board of commissioners.

10.12.050 - Angular parking.

{Unchanged}

10.12.060 - Parallel parking.

- A. All motor [~~and animal-driven~~] vehicles when standing on any of the streets of the town shall be parked with their right [~~sides~~] **SIDE/PASSENGER** to the curb, lengthwise with and parallel to the side of the street in which they may be, and the wheels of any such vehicle next to the sidewalk shall not project in the street for a distance of more than twelve (12) inches from the curb.
- B. It is unlawful to stand any such vehicle across any street in the town, or in any other position except lengthwise with and parallel to the side of the street in which it may be; provided, that any such vehicle, during the time of loading or unloading, in the daytime may stand in a position convenient therefor.
- C. This section shall not apply to vehicles parked on certain portions of designated streets at an angle with the curb, nor shall it apply to parking on one-way streets.

10.12.070 - Obstructing thoroughfares.

{Unchanged}

10.12.080 - Double parking.

{Unchanged}

10.12.090 - Two-hour parking.

It is unlawful for any person, except persons to whom [~~special parking privileges~~] **PARKING PERMITS AND PARKING SIGNS** have been granted [~~or reserved,~~] to place, stand or park any motor vehicle or other conveyance for more than two hours at any time on any of the following streets:

- A. East Main Street, except where meters are installed;
- B. West Main Street, except where meters are installed;
- [~~C. Federal Street or Broad Alley.~~]

10.12.100 - Parking lots.

{Unchanged}

10.12.110 - Parking on public streets.

It is unlawful to park any vehicle of any description upon the streets of the town for a period of time of [~~twenty-four~~ (24)] forty eight (48) consecutive hours.

10.12.120 - Parking prohibited during snow emergency—designated roads.

{Unchanged}

10.12.130 - Violations—Penalties.

- A. Violation of any of the sections enumerated in subsection (B) of this section shall be a municipal infraction.

- B. Fines, pursuant to a parking citation policy to be established and from time to time updated by the ~~[mayor and board of town commissioners]~~ **MAYOR AND BOARD OF COMMISSIONERS** shall be assessed against the operators and/or owners of automobiles who violate certain provisions of Chapter 10.12.
1. ~~[Parking within fifteen (15) feet of a fire hydrant; every twenty four (24) hours in violation of the section counts as a separate offense and may be fined accordingly;]~~
 2. ~~[Parking in restricted zone; every twenty four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 3. ~~[Failure to park between lines; every twenty four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 4. ~~[Parking in crosswalk; every twenty four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 5. ~~[Parking on sidewalk; every twenty four (24) hours in violation of this section counts as a separate and may be fined accordingly;]~~
 6. ~~[Parked blocking driveway; every twenty four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 7. ~~[Parking so as to obstruct street or highway; every twenty four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 8. ~~[Overtime parking; every two hours in violation of this section counts as a separate offense and may be fined accordingly;]~~
 9. ~~[Parking on any street for a period of twenty four (24) consecutive hours; every twenty four (24) hours in violation of this section counts as a separate offense and may be fine accordingly.]~~
 1. **PARKING ON A SIDEWALK OR PARKED STRADDLING A CURB EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 2. **PARKED BLOCKING DRIVEWAY ENTRANCES EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 3. **PARKED BLOCKING PUBLIC OR PRIVATE DRIVEWAY ENTRANCES EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENCE AND MAY BE FINED ACCORDINGLY;**
 4. **PARKING WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 5. **PARKING WITHIN TWENTY (20) FEET OF A CROSSWALK AT AN INTERSECTION; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 6. **PARKING WITHIN TWENTY-FIVE (25) FEET OF A STOP SIGN; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 7. **PARKING WITHIN TWENTY (20) FEET OF AN INTERSECTION; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNTS AS A SEPARATE OFFENCE AND MAY BE FINED ACCORDINGLY;**

8. **PARKED AT SIGNS PROHIBITING PARKING; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 9. **PARKING IN A HANDICAPPED SPACE; EVERY TWO (2) HOURS IN VIOLATION OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 10. **PARKED IN A FIRE LANE; EVERY TWENTY-FOUR (24) HOURS IN VIOLATION OF THIS SECTION COUNT AS A SEPARATE OFFENCE AND MAY BE FINED ACCORDINGLY;**
 11. **PARKED ON ANY BRIDGE OR ELEVATED STRUCTURE; EVRY (24) HOURS OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 12. **DOUBLE PARKING; EVERY TWENTY-FOUR (24) HOURS OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 13. **PARKING OTHER THAN WITHIN THE LINES OR MARKINGS ON THE STREET OR IN A TOWN PARKING LOT; EVERY TWENTY-FOUR (24) HOURS COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 14. **PARKING ON THE STREET FOR A PERIOD OF FORTY-EIGHT (48) CONSECUTIVE HOURS; EVERY FORTY-EIGHT (48) HOURS OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 15. **PARKING AT A PARKING METER IF THE TIME DESIGNATION HAS SHOWN THE METER HAS EXPIRED; EVERY TWO (2) HOURS OF THIS SECTION COUNT AS A SEPARATE OFFENSE AND MAY BE FINED ACCORDINGLY;**
 16. **PARKING IN VIOLATION OF A VALID SIGN THAT LIMITS OR RESTRICTS PARKING BASED ON A DESIGNATED TIME, TIME OF DAY AND/OR DAYS OF THE WEEK; EVERY TWENTY-FOUR (24) HOURS OF THIS SECTION AND MAY BE FINED ACCORDINGLY;**
 17. **LEFT SIDE PARKING; PARKING A VEHICLE OTHER THAN THE RIGHT SIDE/ PASSENGER SIDE TO THE CURB; EVERY TWENTY-FOUR (24) HOURS OF THIS SECTION AND MAY BE FINED ACCORDINGLY;**
 18. **PARKING DURING A SNOW EMERGENCY IN VIOLATION OF 10.12.120; EVERY TWENTY-FOUR (24) HOURS OF THIS SECTION AND MAY BE FINED ACCORDINGLY.**
- C. A police officer, or ~~[municipal code enforcer]~~ **PARKING ENFORCEMENT OFFICER**, upon observing a vehicle parked in violation of any of the sections of Chapter 10.12 enumerated in subsection (B) of this section, shall attach to such vehicle a citation informing the owner or operator of the violation, setting forth the amount of the fine and instructing the owner or operator of the vehicle to pay the fine at the town hall within twenty (20) days from the issuance of the citation or to notify the town clerk within fifteen (15) days from the issuance of the citation of his or her intent to stand trial for the infraction.
- ~~[D. Amounts of fines according to the parking citation policy.]~~
- D. **ALL PARKING CITATIONS ARE TO BE PAID IN FULL TO THE TOWN AT ANY OF THE FOLLOWING LOCATIONS OR IN THE FOLLOWING MANNERS:**
1. **IN PERSON, BY CASH, CHECK OR CREDIT CARD, AT THE EMMITSBURG TOWN OFFICE LOCATED AT 300A SOUTH SETON AVENUE EMMITSBURG MARYLAND 21727, 2ND FLOOR.**

- 2. **BY MAILING THE PAYMENT TO THE EMMITSBURG TOWN OFFICE AT 300A SOUTH SETON AVENUE EMMITSBURG MD 21727.**
- 3. **BY PLACING THE PAYMENT IN THE RED DROP-BOX LOCATED IN THE FRONT OF THE OLD TOWN OFFICE BUILDING AT 22 EAST MAIN STREET.**
- E. **IF THE CITATION FINE IS NOT PAID WITHIN THE ALLOTTED TIME FRAME OR THE VIOLATION IS NOT ADJUDICATED IN COURT, THE REGISTRATION TAGS OF THE VEHICLE CITED MAY BE ENTERED INTO THE MARYLAND MOTOR VEHICLE REGISTRAION FLAGGING PROGRAM.**

[1. ~~Parking during a snow emergency in violation of Section 10.12.120.~~]

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2018
by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

MAYOR

_____APPROVED _____VETOED

this _____ day of _____, 2018.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date:

ORDINANCE SERIES: 2018
ORD. NO.: 18 – 05

Page 1 of 3

AN ORDINANCE TO AMEND
TITLE 10
OF THE CODE OF EMMITSBURG
ENTITLED
VEHICLES AND TRAFFIC

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 10, Sections 10.16.080, 10.16.110, 10.16.130, 10.16.140 and 10.16.150 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~{brackets and strike out}~~.

Chapter 10.16 – Parking Meters

Sections:

10.16.010 - Authority of mayor.

{Unchanged}

10.16.020 - Installation and function of meters.

{Unchanged}

10.16.030 - Designation of parking spaces—Parking within lines required.

{Unchanged}

10.16.040 - Parallel and diagonal zones.

{Unchanged}

10.16.050 - Operation of meters.

{Unchanged}

10.16.060 - Overtime parking.

{Unchanged}

10.16.070 - Parking adjacent to meter displaying expired time signal.

{Unchanged}

10.16.080 - Tampering, etc., with meters prohibited.

It is unlawful for any person to deface, injure, tamper with, open or ~~[wilfully]~~ **WILLFULLY** break, destroy or impair the usefulness of any parking meter installed under the provisions of this chapter.

10.16.090 - Use of slugs, etc.

{Unchanged}

10.16.100 - Use of zones by commercial vehicles.

{Unchanged}

10.16.110 - Duty of A police **OFFICER AND/OR PARKING ENFORCEMENT OFFICER** in case of overtime parking.

- A. It shall be the duty of A police ~~[officers]~~ **OFFICER AND/OR PARKING ENFORCEMENT OFFICER** of the town, acting in accordance with instructions issued by the mayor, to report:
1. The number of each parking meter that the vehicle occupying the parking space adjacent to is or has been parking in violation of any of the provisions of this chapter;
 2. The state license number of such vehicle;
 3. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.
- B. Each such police officer **AND/OR PARKING ENFORCEMENT OFFICER** shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this chapter, and instructing such owner or operator to report at police headquarters in the town, in regard to such violation.

10.16.120 - Use of coins deposited.

{Unchanged}

10.16.130 - Hours spaces may be used.

The parking meter spaces established by this chapter may be used by those desiring to occupy the same with vehicles between the hours of nine a.m. to six p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, with Sundays, ~~[community day]~~ **COMMUNITY HERITAGE DAY** and holidays excluded, by the payment of the fee herein provided for.

10.16.140 - Designation of zones.

Parking meter zones are established on the following streets: ~~[Center Square,]~~ East and West Main Street (both sides) ~~[between Broad Alley or Federal Avenue and on the east to Welty's Store on the west].~~

10.16.150 - Violations—Penalties.

- A. Violation of any of the sections enumerated in subsection (B) of this section shall be a municipal infraction.
- B. The following fines shall be assessed against the operators and/or owners of automobiles who violate certain provisions of this chapter as follows:

1. Failure to park between lines in violation of Section 10.16.030: [~~ten~~] **FIFTEEN** dollars [~~(\$10.00)] (\$15.00); every twenty-four (24) hours in violation of this section counts as a separate offense and may be fined accordingly;~~
 2. Overtime parking in violation of Section 10.16.090: **TEN DOLLARS (\$10.00)**; according to the parking citation policy **P18 - 03**; every two hours in violation of this section counts as a separate offense and may be fined accordingly.
- C. In the event that any fines set forth in subsection (B) of this section shall not be paid within twenty (20) days from the date a citation is issued, the amount of the fine shall be increased to the following amount:
1. Failure to park between lines in violation of Section 10.16.030: **THIRTY DOLLARS (\$30.00)**; according to the parking citation policy **P18 - 03**;
 2. Overtime parking in violation of Section 10.16.030: **TWENTY-FIVE DOLLARS (\$25.00)**; according to the parking citation policy **P18 - 03**.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2018
by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

MAYOR

_____ APPROVED _____ VETOED

this _____ day of _____, 2018.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date:

ORDINANCE SERIES: 2018
ORD. NO.: 18 – 06

Page 1 of 3

AN ORDINANCE TO AMEND
TITLE 10
OF THE CODE OF EMMITSBURG
ENTITLED
VEHICLES AND TRAFFIC

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 10, Sections 10.20.010, 10.20.050 and 10.20.070 of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~brackets and strike out~~.

Chapter 10.20 – Impounding of Vehicles

Sections:

10.20.010 - Authorization.

When any vehicle is found parked or moving at any time on any street in the town against which there are three or more unsatisfied or unpaid summonses, citations for parking violations, or any other legal processes, and when at least thirty (30) days have elapsed since the issuance of the third unsatisfied summons, citation for parking violations or any other legal process, the ~~Emmitsburg department of~~ police **OFFICER**, or ~~any person, official, or~~ **PARKING** enforcement officer assigned to enforce this chapter, is authorized and empowered to remove or cause to be removed said vehicle, either by towing, conveying, or in any other manner, and impound same in a place designated by the mayor or ~~chief of police~~ **TOWN MANAGER**, or as may be set forth in other provisions of this chapter.

10.20.020 - Responsibility of owner.

{Unchanged}

10.20.030 - Notice.

{Unchanged}

10.20.040 - Release of impounded vehicles prior to hearing or trial.

{Unchanged}

10.20.050 - Hearing rights.

- A. Time. The owner shall have a right to contest the impoundment of the vehicle by requesting a hearing. The request for hearing shall be granted within forty-eight (48) hours, excluding Sunday and holidays, from the time the owner files the application for hearing before the hearing officer.

B. Hearing Officer.

1. The hearing shall be held before a hearing officer consisting of the following: mayor, one of the commissioners, police department representative or ~~town clerk~~ **TOWN MANAGER**.
2. Procedure.
 - a. The hearing shall be held in an informal manner. The findings of the hearing officer shall be in writing. A copy of same shall be furnished to the owner as prescribed by the department of police procedure.
 - b. If it is determined by the hearing officer that the vehicle should not have been impounded, the owner shall not be required to pay the towing, storage and preservation charges provided for under this chapter to secure the release of said vehicle. If the charges were paid prior to the hearing, a refund shall be made to the owner who paid said charges in order to have the vehicle released.
 - c. The decision of the hearing officer shall not have any effect or be considered a determination of the outstanding unsatisfied summonses, citations or any other legal processes against the vehicle impounded.
 - d. The owner is and shall be entitled to a hearing in the district court on said charges.

10.20.060 - Refund of charges upon not guilty verdict.

{Unchanged}

10.20.070 - Sale of unclaimed vehicles.

- A. Whenever any vehicle **IS** impounded, ~~pur-suant~~ **PURSUANT** to the provisions of this chapter, shall remain unclaimed by the owner, or other person legally entitled to possession thereof for a period of thirty (30) days from the date of a notice to the owner was mailed as set forth herein, the town shall sell such vehicle at public auction in accordance with the provisions of Title 25 of the Transportation Article of the Annotated Code of Maryland.
- B. The proceeds of the sale shall be applied in the following order:
 1. Payment of expenses of giving notice and advertising and holding the same, including reasonable attorney's fees;
 2. All storage, towing and preservation charges;
 3. All fines and administrative charges outstanding against the owner of the vehicle impounded under this chapter;
 4. The balance, if not claimed within ninety (90) days from the date of the sale by the owner or secured party, to the treasury of the town.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2018
by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

MAYOR

_____ APPROVED _____ VETOED

this _____ day of _____, 2018.

Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Madeline Shaw, Town Clerk
Date:

AGENDA ITEMS CONTINUED:

- III. Presentation by Town Staff on Short Term Transient Rentals:** Presentation at meeting by town staff.

AGENDA ITEMS CONTINUED:

- IV. Public Comment Timing in Meetings for Consideration:** Presentation at meeting by Commissioner Buckman and town staff.

The following municipalities have their public comment early/first in the agenda. Their most recent agendas are attached.

- i. Borough of Gettysburg, Pennsylvania
- ii. City of Brunswick, Maryland
- iii. Boonsboro, Maryland

The following municipalities have their public comment late/last in the agenda...

- Thurmont: #7 on agenda, last item.
- Walkersville: last item on agenda, they do not allow public comment prior.
- Middletown: #9 on agenda, last item before announcements (#10) and adjournment.
- Westminster: #13 on agenda (out of 14 items), last item
- Myersville: #9 on agenda, last item before adjournment
- Rockville: #10 on the agenda (out of 26 total items), after Proclamations & Awards
- Gaithersburg: #7 on the agenda (out of 25 total items), after Proclamations

SAMPLE AGENDA FROM THE BOROUGH OF GETTYSBURG

Council Work Session Meeting Agenda
from Monday, March 26, 2018 – 7:00 PM

- I. Call to Order President Naugle
- II. Welcome and Opening Remarks President Naugle
- III. Announcements President Naugle
- IV. **Public Comment – Restricted to Items on the Agenda**
(Clerk Note: Only chance to speak about something before its voted on. Also, a chance to speak about items that are not on the agenda).
- V. Tabled Old Business
 - A. Fuel System Harbaugh
 - B. PBS 2017-2 Rezoning – ROR District Gable/LaBarre
 - C. PBS 2017-1 LERTA Member Heyser/Gable
 - D. End Cap Properties Member Strauss/LaBarre
- VI. Old Business
 - A. Council Tablets Manager Gable
 - B. PBS 2017-3 Parking President Naugle
 - C. PBS 2016-27 Verizon Small Cell Sites Gable
 - D. Community Meetings President Naugle
 - Newsletter Topics
- VII. New Business
 - A. RPP Request – 800 Block Johns Avenue Miller/Gable
 - B. Sexual Harassment Policy President Naugle Member Lawson
 - C. PBS 2018-1 MS4 Gable/Clabaugh
- VIII. **Public Comment**
(Clerk Note: Chance to make comments after the items are voted on).
- IX. Adjournment

SAMPLE AGENDA FROM THE CITY OF BRUNSWICK

Mayor and Council Meeting Agenda
from Tuesday March 13, 2018 – 7:00 PM

1. CALL TO ORDER, PLEDGE, AND ROLL CALL
2. MAYOR'S REMARKS
3. APPROVAL OF MINUTES
 - a. Mayor & Council Meeting-February 13 & 27, 2018
 - b. Mayor & Council/Planning Commission Workshop-February 6, 2018
 - c. Closed Meeting-February 6, 13, 27, 2018
4. **CITIZENS' FORUM (PETITIONS, REMONSTRANCES, AND COMMUNICATIONS)**
(Clerk Note: I spoke with the Brunswick clerk, they allow 5 minute to make comments about any upcoming items and do not let people speak after that. If there is a large agenda item they are anticipating a lot of public comment on (e.g. an SHA project) the Mayor or President will request anyone wanting to speak on that item wait until the agenda item is being discussed.)
5. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES
 - a. Resolution 2018-04- Traffic Control Request- 415 North Maple Avenue-vote anticipated
 - b. Resolution 2018-05 - Traffic Control Request - 22 East C Street - vote anticipated
6. REPORT OF OFFICERS - COUNCIL- COMMITTEES
7. CONSENT AGENDA
 - a. PO# PW-4578 -Core & Main-Cemetery Circle Water Line Replacement - \$25,668.87
 - b. Final Phase I FRO Release \$59,596.50
 - c. Final Phase IIA FRO Release \$30,947.00
 - d. Phase IIIA SEC/SWM surety reduction 323,908.05
 - e. Water & Sewer Phase 2A part 2 Conditional Approval partial release \$113,062.00
 - f. Stormdrain Phase 2A part 2 Conditional Approval partial release \$22,724.00
 - g. Paving Phase 2A part 2 Conditional Approval partial release \$126,412.56
 - h. Water & Sewer Phase 2B part 1 Conditional Approval partial release \$259,747.00
 - i. Stormdrain Phase 2B part 1 Conditional Approval partial release \$106,566.00
 - j. Paving Phase 2B part 1 Conditional Approval partial release \$198,221.50
 - k. Water & Sewer Phase 2B part 2 Conditional Approval partial release \$323,031.00
 - l. Stormdrain Phase 2B part 2 Conditional Approval partial release \$101,510.00
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 - a. Urban Planner Small Area Plan Concept Presentation
 - b. City Park Building Policy Update - vote anticipated
 - c. Event Application Approval- New Hope UMC - Easter Egg Hunt-vote anticipated
10. MISCELLANEOUS AND APPROPRIATIONS
11. ADJOURNMENT

SAMPLE AGENDA FROM BOONSBORO MARYLAND

Mayor and Council Meeting Agenda
from Monday March 5, 2018 – 7:00 PM

7PM - PLEDGE AND INVOCATION – Mayor Howard Long

ROLL CALL

REVIEW AND APPROVAL OF MEETING MINUTES – Draft Minutes

Regular Session – February 5 2018
Budget Workshop – February 12, 2018
Budget Workshop – February 20, 201
Workshop Session – February 26, 2018
Executive Session – February 26, 2018

Treasurers Report – February 2018
Bills to Be Paid – February 2018

PUBLIC COMMENTS (must sign in and limit comments to 3 minutes)

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

POLICE DEPARTMENT REPORT- Chief Stanford

NEW BUSINESS

Ladies Auxiliary Request - Memorial Day Parade & Service
Safety Manual- Recommendation For Approval
Shafer Park Tax Revenue – summary
Recommendation to Hire – Town Planner
Town Manager

COMMISSION REPORTS

Public Safety – Councilmember Byrd
Park Board- Councilmember Kerns
Utilities – Councilmember Davis
Planning – Councilmember Solberg EDC- Assistant Mayor Kauffman
Environmental Commission- Councilmember Schmidt

Town Manager’s Report –Megan Clark

M. SET AGENDA FOR NEXT MEETING: MAY 7, 2018

- 1.
- 2.
- 3.
- 4.